

**CITY OF WEST DES MOINES
BOARD OF ADJUSTMENT COMMUNICATION**

Meeting Date: January 23, 2013

Item: Variance Request – 1600 Valley West Drive Canopy – Stanbrough Realty, Inc.
– 1600 Valley West Drive – Approval of a 70 foot variance from the 100 foot front yard building setback to allow the construction of a canopy on the south side of the building (VAR-2012-007)

Requested Action: Approval of a Variance Request

Case Advisor: Kara Tragesser, MPA, AICP 

Applicant's Request: The applicant, Stanbrough Realty, Inc., represented by Jeff Stanbrough, is requesting a 70 foot variance of the required 100 foot front yard building setback required from the ultimate right-of-way line of Westown Place to allow for the construction of a 36.6 ft. deep x 26' wide canopy on the south side of the 1600 Valley West Building to accommodate a drive-thru drop off for a resale goods retail tenant. The applicant explains their reason for the variance in Attachment C – Variance Request.

History: This building has been vacant for a few years and formerly housed Steinmart retail store (see Attachment B – Location Map and Attachment D – Variance Exhibit). This site was approved with a site plan for a shopping center (Service Merchandise) in 1979. The site is adjacent to the Hy-Vee grocery store site immediately to the north. In approximately 1997, the building changed tenants from Service Merchandise to a Steinmart store. Steinmart operated the store at that location until Summer 2010. The most recent activity was a permitted conditional use permit to allow a college, Wright College, to occupy the building (PC-2012-002). That application was withdrawn by the applicant.

City Council Subcommittee: This item was not able to be presented to the Development and Planning City Council Subcommittee during review of the application.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff summarizes the following key point of interest:

- A comment letter has been submitted by Knapp Properties, adjacent property owners, indicating support for the variance request (see Attachment E – Knapp Comment Letter).
- In 1979, when the site plan was being reviewed and eventually approved, Westown Place on the south side of the building was a private street and the property line for this property was within the private street area. The building at that time was approximately 102 ft. from that property line. During review of that site plan, the City requested that 30 feet along the south property line be deeded to the City for Westown Place. There is no indication that the building setback was varied at that time or that the building was moved to accommodate a 100 ft. front yard setback from the new property boundary.

At that time, the property was zoned C-1-A Commercial Plaza District which required a 100 foot front yard building setback, but allowed for a zero side yard setback. Staff speculates that no setback may have been required from Westown Place when it was a private drive, given the location of the commercial building (built in 1973) on the south side of Westown Place was constructed with what is now an approximately 8 foot setback.

With the approval by the Board of Adjustment of the permitted conditional use permit for Monkey Joe's, which is located in the 1600 Valley West Drive building, the City further requested by irrevocable offer of dedication an additional 7.66 ft. of property for right-of-way purposes on Westown Place. No variance was warranted as a result of this dedication since no outside structural improvements to the site were proposed or required to accommodate the Monkey Joe's use within the building. At that point, the building was and is setback from the street frontage on the south about 65 feet.

- Part of the intent to regulate the location of buildings on lots through setback requirements is to protect environmental health and safety of the community and the natural environment. By requiring minimum distances between buildings and property lines, it will create space between buildings that increase the available light and fresh air to occupants of buildings, create yards that are used to control for erosion and flooding and create space for driveways, septic tanks and other infrastructure that supports the building on the property.

Another part of the intent of the setback regulations is to be criteria for design standards of development. Setbacks are used to provide space between building and roads for sidewalks and public utilities. Setback regulation can create a uniform space between buildings in neighborhood which will increase homogeneity in streetscapes.

- Staff feels that the variance on the south side front yard setback along Westown Place does not do further harm to the intents of the setback regulations in that the bulk of the building is not being changed. The addition of an open air canopy is a 'light' building addition which does not perceptively add to the bulk of the building, does not change the openness of space between it and the adjacent properties, does not change the 'yard' perceptively by relocating green space to accommodate any loss due to the configuration of the drive-ups, and does not impact the access to utilities already in place along Westown Place.

Also, in consideration of what Staff surmises was the circumstances at the time that the commercial building on the south side of the street and the subject building were constructed, namely that Westown Place was a private street (therefore did not meet the front yard definition and requirements as if it was a public street), the properties were zoned the same, and that the zoning allowed a zero setback of side yards for similarly zoned property, staff feels that the declaration of Westown Parkway as a public street now and by applying today's setback standards, that the subject property suffers unduly from the changes that have occurred since its initial construction.

Variance Findings: Title II of the City Codes discusses the variance procedure. All five (5) conditions must be met in order to grant a variance. Based upon a review of the submitted variance request, staff has made the following findings on the proposed project:

1. That the proposed development or use is consistent with the West Des Moines comprehensive plan and any applicable subarea plan. *The proposed development is consistent with the comprehensive plan. Specifically, Goal 1, Policy 1.1 which states that the City shall continue to institute programs, standards, and policies that work towards bringing blighted, deteriorated, and/or non-conforming or sub-standard properties into compliance; Policy 1.2 which states that the City should enter into partnerships with private and public organizations to effectuate the development and revitalization of the City; Goal 3, Policy 3.2 which states, in part, that the City shall encourage the retention and expansion of existing businesses, Policy 3.7 which states that the City should encourage the revitalization and redevelopment of obsolete or declining commercial or industrial areas*

2. That there are special circumstances or exceptional characteristics applicable to the subject property with regard to size, shape, topography or location, which do not apply generally to comparable properties in the same vicinity and zones. *There does not appear to be any shape or topographic aspects of the site which are generally inconsistent with properties in the vicinity. Regarding the size of the property, through the explanation above the right-of-way acquisition circumstance which the City has imposed on this property, the size of the property has been affected through no fault of the owner.*

With regard to other site aspects of this property with properties in the general vicinity of this property which are inconsistent with this site, the commercial building (occupied by Mens' Warehouse and Whyllie Optical) on the south side of Westown Place currently is located approximately 8 feet from the right-of-way line for Westown Place on the north of its property. The exceptional characteristic finding for this situation is a reverse finding in that the entire bulk of this commercial building is substantially closer to the right-of-way than the subject property, which by denial of allowing a setback variance for an open air canopy is unduly impractical when weighed against the circumstance of its neighboring property.

3. That the strict application of the zoning regulations as they apply to the subject property will result in practical difficulties or unnecessary hardships inconsistent with the general purpose of such regulations provided that such hardships shall not be self-imposed by the applicant or his or her successor in interest. *When initially constructed, the building was planned for a specific tenant whose operational model is not being used in today's retail environment. This is a redevelopment property with no tenant since 2010. The property owner has contacted the City several times to evaluate other tenants being able to occupy the building. The current proposed tenant is a permitted use for the zoning district. The building and site improvements proposed to be made for this tenant will improve the property from its current condition and re-tenant an otherwise empty, unimproved structure surrounded by tenanted and active commercial enterprises. The strict application of the codes and regulations to this site has presented practical difficulties in attracting a tenant. The strict application of the code in the case of an open air canopy addition, which does not change the location of the main structure in a redevelopment situation, may create an unnecessary hardship to the land owner in attracting a tenant to an older, dated structure.*

4. That there have been no changes in the character of the site or its surroundings which detrimentally affect the environment. *It is staff's determination that the addition of an open air canopy over impervious surface does not detrimentally affect the environment.*

5. That the granting of such variance does not, under the circumstances and conditions applied in the particular case, adversely affect the health or safety of persons, is not materially detrimental to the public welfare, nor injurious to nearby property or improvements. *The variance does not affect the health, safety, or welfare of the public. The granting of this variance request is not injurious to nearby property or improvements. The canopy will be an attractive option for donation drop offs in inclement weather and help provide order to the drop off procedure by providing definite lanes for car queues, whereas other locations the drop off area is not organized and cars and trucks are intermingled and parked haphazardly. The view of the canopy from the south and west is from parking fields, and mature landscape screening already is place to soften those views. The view from Valley West Drive also is across a parking field which is landscaped on the street side and does meet building setback requirements from that frontage. The canopy adds no perceptible bulk to the building which would negatively impact the surrounding uses and should not add to the perceived bulk of the building from the south.*

Staff Recommendations and Conditions of Approval: Based upon the following review, a finding of consistency with the goals and policies of the Comprehensive Plan and compliance with the findings necessary for approval, staff recommends the Board of Adjustment adopt a resolution for approval of a Variance Request to vary the front yard setback from 100 feet to 30 feet, a variance of 70 feet for 1600 Valley West Drive, subject to meeting all City Code requirements and the following:

1. That the canopy will be constructed so as to blend with the existing building in color and/or materials.

Noticing Information: On January 4, 2013, notice of the January 23, 2013, Board of Adjustment Public Hearing on this project was published in the Des Moines Register. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on January 3, 2013.

Applicant:
Stanbrough Realty
10888 Hickman Road, Ste 3B
Clive IA 50325
515-334-3345
Jeff Stanbrough
jeff@stanbrough.com

Property Owner:
Christine A. Drake
10888 Hickman Road Ste 3B
Clive IA 50325
515-208-3739
Christydrake@iowarealty.com

SITE DETAILS

Comprehensive Plan: Regional Commercial
Existing Zoning: Regional Commercial
Existing Land Use: Retail building (currently vacant – formerly Steinmart)

Surrounding Land Uses:

North **Existing Land Use:** Monkey Joes/Hy Vee grocery store
 Existing Zoning: Regional Commercial
 Comprehensive Plan Designation: Regional Commercial

East **Existing Land Use:** Valley West Mall
 Existing Zoning: Regional Commercial
 Comprehensive Plan Designation: Regional Commercial

South **Existing Land Use:** Valley West Inn
 Existing Zoning: Regional Commercial
 Comprehensive Plan Designation: Regional Commercial

West **Existing Land Use:** Multi-Tenant Office Buildings
 Existing Zoning: Professional Commerce Park
 Comprehensive Plan Designation: Office

Total Land Area: 3.685 acres (160,519 sq. ft.)

Impervious Area: Not calculated for this request

Open Space: Not calculated for this request

Landscaping: Not calculated for this request

Parking: Not calculated for this request

Building: Not calculated for this request

Attachments:

Attachment A	☐	Resolution
Attachment B	☐	Location Map
Attachment C	☐	Variance Request
Attachment D	☐	Variance Exhibit
Attachment E	☐	Knapp Comment Letter

Prepared by: K.Tragesser, Development Services PO Box 65320 West Des Moines IA 50265-0320 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines PO Box 65320 West Des Moines IA 50265-0320

RESOLUTION

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING THE VARIANCE REQUEST (VAR-2012-007) TO VARY THE FRONT YARD SETBACK FROM 100 FEET TO 30 FEET TO ALLOW THE CONSTRUCTION OF A CANOPY AT 1600 VALLEY WEST DRIVE

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Stanbrough Realty, Inc., has requested approval of variance from Chapter 9, Section 7-4, Minimum Setbacks, for construction of a canopy at 1600 Valley West Drive;

Legal Description of Property

See Attachment A

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, on January 23, 2013, the Board of Adjustment held a duly-noticed public hearing to consider the application for a variance (VAR-2012-007);

NOW, THEREFORE, THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated January 23, 2013, or as amended orally at the Board of Adjustment hearing of January 23, 2013, including any conditions of approval in Exhibit B are adopted.

SECTION 2. The variance of the front yard setback of 70 feet is hereby granted.

PASSED AND ADOPTED on January 23, 2013.

Jennifer Drake, Chairperson
Board of Adjustment

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment for the City of West Des Moines, Iowa, at a regular meeting held on January 23, 2013, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

ATTEST:

Recording Secretary

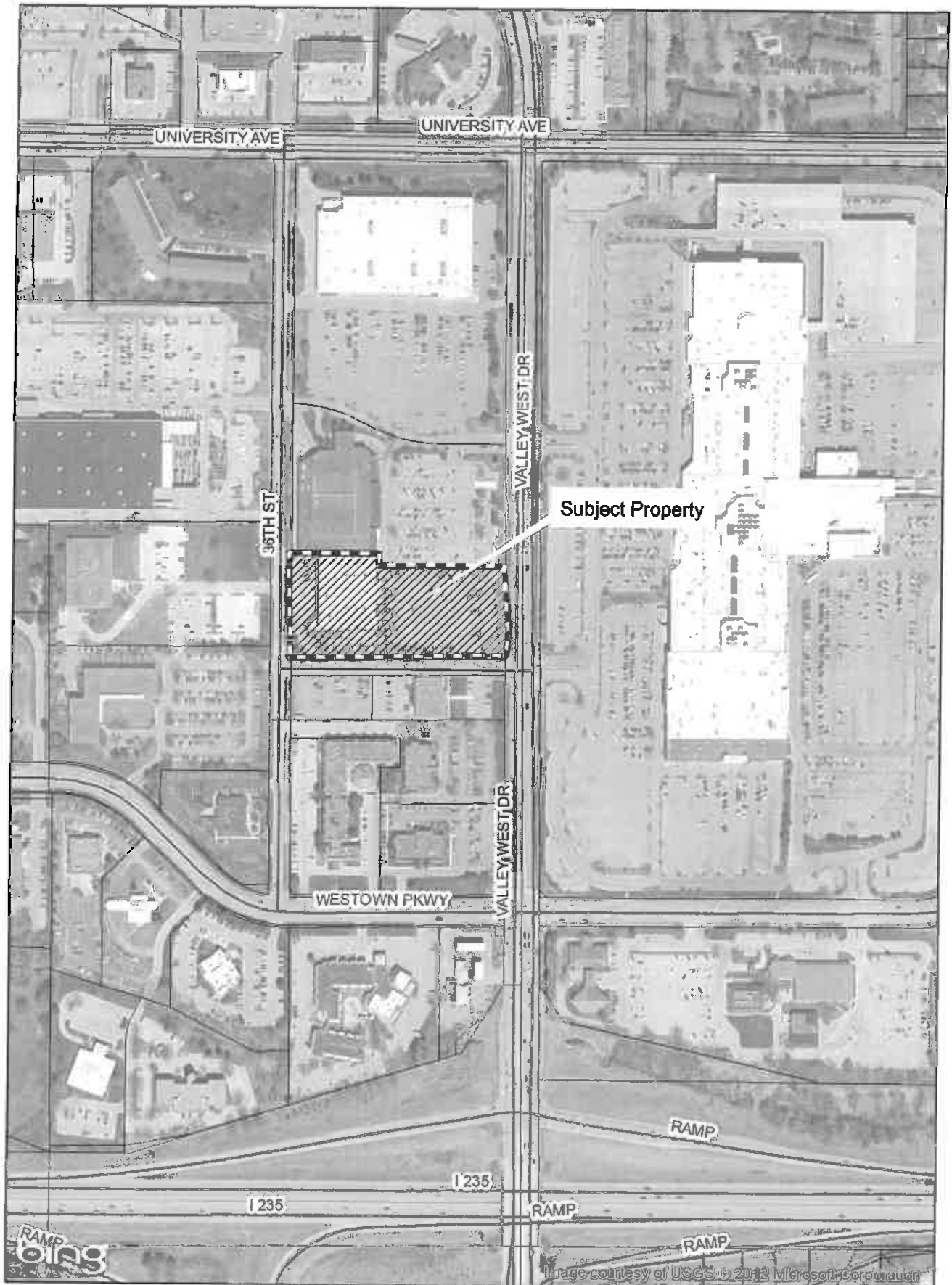
EXHIBIT A

A TRACK OF LAND IN THE NE1/4 OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE FIFTH P.M., CITY OF WEST DES MOINES, POLK COUNTY, IOWA, THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SECTION 5, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH PR.M., THENCE SOUTH 1428.51' MORE OR LESS ALONG THE EAST LINE OF SAID SECTION 5 TO A POINT; THENCE WEST 50' TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 35TH STREET AND THE POINT OF BEGINNING (P.O.B.); THENCE N89°55'42"W, 600.06' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF 36TH STREET; THENCE N00°00'18"E, ALONG THE EAST RIGHT-OF-WAY LINE OF 36TH STREET, 288.12' TO A POINT; THENCE S89°59'42"E, 250.00' TO A POINT; THENCE S89°59'42"E, 350.03' TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF 35TH STREET, THENCE SOUTH ALONG THE WEST RIGHT-OF-WAY LINE OF 35TH STREET, 252.82' TO THE POINT OF BEGINNING AND CONTAINING 3,685 ACRES MORE OR LESS.

Exhibit B
Conditions of Approval

1. That the canopy will be constructed so as to blend with the existing building in color and/or materials.



1600 Valley West Drive

VARIANCE REQUEST RELATING TO (Check all that apply):

- ☐ Area
☐ Parking
☐ Height
☒ Yard (setbacks, separation, etc.)
☐ Sign
☐ Permitted Conditional Use
☐ Other: (i.e. - exception to district regulations) Please Specify below;

☐ Appeal

REASON FOR VARIANCE OR APPEAL REQUEST:

Briefly explain the reason(s) for the variance request, including reasons why you cannot comply with the regulations of the Zoning Ordinance: The building is an older structure, and newer demands call for a covered vehicular drop off. The proposed covered open air canopy measures 34.6'x26'. 11' of the 34.6' depth encroaches into the 50' building setback. Our request is therefore a variance of 11' of the required 50' building setback. Westown Place serves as a short one block street that provides access to parking to the retail to the north and south, and to 36th Street to the west. The setback reduction is in keeping with the contiguous properties. Immediately south, opposite our requested variance, is Whylies' Optical, which encroaches approximately 50' into their required 50' setback; Whylie's is virtually on their right of way line. HyVee to the north encroaches approximately 25 feet into their required 50' building setback along most of their frontage on 36th Street. We seek to encroach 11' into our required 50' building setback for a length of 26' of the total 600' of Westown Place frontage.

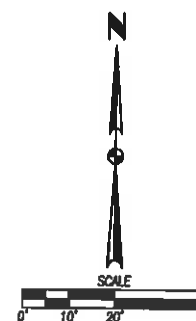
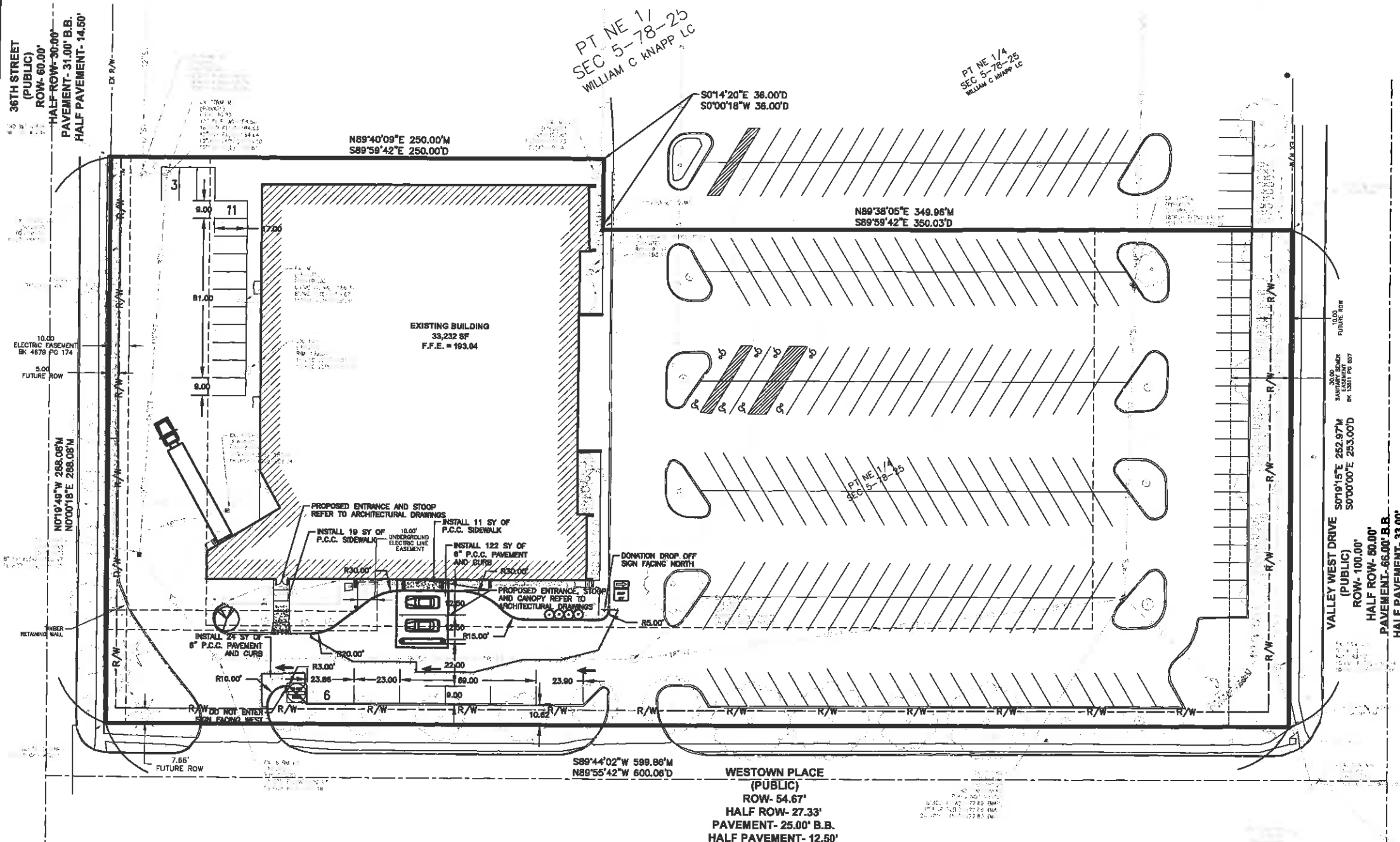
LEGAL DESCRIPTION OF SUBJECT PROPERTY (include separately if lengthy):

See Attached

1. THE MOST RECENT EDITION OF THE WEST DES MONIES STANDARD SPECIFICATIONS FOR SUBDIVISIONS AND THE WEST DES MONIES WATER WORKS STANDARD SPECIFICATIONS FOR SUBDIVISIONS SHALL APPLY TO ALL WORK ON THIS PROJECT UNLESS OTHERWISE NOTED.
2. CONTRACTOR OR SUBCONTRACTOR PERFORMING WORK IN CONNECTION WITH PLANS AND SPECIFICATIONS ASSOCIATED WITH THE PLANS SHALL HOLD INVIOLABLE, INVENT AND DEFEND THE ARCHITECT AND THE ENGINEER, THEIR CONSULTANTS AND EACH OF THEIR OFFICERS, AGENTS AND EMPLOYEES FROM ANY AND ALL LIABILITY CLAIMS, LOSSES, OR DAMAGES ARISING OUT OF OR ALLEGED TO ARISE FROM THE CONTRACTOR'S OR SUBCONTRACTOR'S NEGLIGENCE IN THE PERFORMANCE OF THE WORK DESCRIBED IN THE CONSTRUCTION CONTRACT DOCUMENTS.
3. REFER TO DETAILS BELOW FOR CLASS A SIDEWALK CONSTRUCTION DETAILS.
4. ACCESSIBLE PARKING, RAMPES AND SIGNAGE SHALL COMPLY WITH ADA ACCESSIBILITY GUIDELINES FOR BUILDINGS AND FACILITIES.
5. ALL WORK SHALL BE IN ACCORDANCE WITH OSHA CODES AND STANDARDS. NOTHING INDICATED ON THE DRAWINGS SHALL RELIEVE THE CONTRACTOR FROM COMPLYING WITH ANY APPROPRIATE SAFETY REGULATIONS.
6. PRIOR TO ANY WORK AT THE SITE, CONTRACTOR SHALL EXAMINE ANY APPLICABLE DRAWINGS AVAILABLE FROM THE OWNER, ENGINEER, AND/OR ARCHITECT, AND CONSULT WITH OWNER'S PERSONNEL AND UTILITY COMPANY REPRESENTATIVES. NO COMPENSATION WILL BE ALLOWED FOR DAMAGE FROM FAILURE TO COMPLY WITH THIS REQUIREMENT.
7. AT LEAST 1 WEEK PRIOR TO ANY CONSTRUCTION WITHIN PUBLIC R.O.W./EASEMENTS AND/OR ANY CONNECTION TO PUBLIC SEWERS AND STREETS, THE CONTRACTOR SHALL CONTACT THE WEST DES MONIES CONSTRUCTION DIVISION, "CLINT CARPENTER" (315) 222-3480 TO OBTAIN APPLICABLE CITY PERMITS THAT MAY BE NECESSARY. IT IS IMPORTANT TO NOTE CITY APPROVAL OF THIS PLAN IS SUBJECT TO APPLICANT OBTAINING ALL NECESSARY EASEMENTS/AGREEMENTS AND APPLICABLE PERMITS.
8. ALL CONSTRUCTION WITHIN PUBLIC R.O.W./ EASEMENTS, AND /OR ANY CONNECTION TO PUBLIC SEWERS AND STREETS, SHALL COMPLY WITH THE WEST DES MONIES STANDARD CONSTRUCTION SPECIFICATIONS FOR SUBDIVISIONS AND THE WEST DES MONIES METRO DESIGN STANDARDS AND WEST DES MONIES ADDENDA.
9. ALL DIMENSIONS ARE TO BACK OF CURB, BUILDING FACE OR PROPERTY LINE UNLESS OTHERWISE NOTED.
10. REMOVE ALL DEBRIS SPILLED INTO R.O.W. AT THE END OF EACH WORK DAY.
11. ALL PROPERTY PINS SHALL BE PROTECTED FROM GRADING OR OTHER OPERATIONS. ANY PINS DISTURBED SHALL BE RESET AT THE CONTRACTOR'S EXPENSE.
12. DO NOT STORE CONSTRUCTION MATERIALS AND EQUIPMENT IN THE RIGHT OF WAY.
13. PRIOR TO CONSTRUCTION, CONTRACTOR SHALL NOTIFY (48 HRS NOTICE) THE FOLLOWING:
 - A. CITY OF WEST DES MONIES (CLINT CARPENTER) VDM PUBLIC WORKS 222-3480)
 - B. APPROPRIATE UTILITY COMPANIES
 - C. OWNER
 - D. CIVIL DESIGN ADVISOR
14. THE CONTRACTOR SHALL NOT DISTURB DESIRABLE GRASS AREAS AND DESIRABLE TREES OUTSIDE THE CONSTRUCTION LIMITS. THE CONTRACTOR WILL NOT BE PERMITTED TO PARK OR SERVICE VEHICLES AND EQUIPMENT OR USE THESE AREAS FOR STORAGE OF MATERIALS. STORAGE, PARKING AND SERVICE AREAS WILL BE SUBJECT TO THE APPROVAL OF THE OWNER.
15. THE CONTRACTOR IS RESPONSIBLE FOR REPLACING ANY AREAS OF PAVEMENT OR SIDEWALK NOT TO BE REMOVED THAT IS DAMAGED DUE TO OPERATING EQUIPMENT ON THE PAVEMENT OR SIDEWALK.
16. THE CONTRACTOR MAY BE REQUIRED TO PLACE TEMPORARY WARNING DEVICES AND SAFETY FENCE AT CERTAIN LOCATIONS WHERE REPLACEMENT FEATURES ARE NOT INSTALLED THE SAME DAY, AS DIRECTED BY THE ENGINEER OR THE CITY.
17. PARKING LOT STRIPING SHALL BE A 4" MINIMUM WHITE STRIPE UNLESS OTHERWISE NOTED (TWO COATS MINIMUM).
18. ALL SIGNING AND STRIPING SHALL CONFORM TO THE (MUTCD) MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (FEDERAL ADMINISTRATION, 2009 EDITION).

1. ALL APPLICABLE CITY PERMITS, INCLUDING BUT NOT LIMITED TO CLOSURE PERMITS, SHALL BE OBTAINED PRIOR TO ANY CONSTRUCTION WITHIN CITY R.O.W. OR LANE CLOSURES.
2. ALL TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
3. PERMANENT SIGNING THAT CONVEYS A MESSAGE CONTRARY TO THE MESSAGE OF TEMPORARY SIGNING AND NOT APPLICABLE TO THE WORKING CONDITIONS SHALL BE COVERED BY THE CONTRACTOR WHEN DIRECTED BY THE CITY.
4. THE CONTRACTOR SHALL COORDINATE HIS TRAFFIC CONTROL WITH OTHER CONSTRUCTION PROJECTS IN THE AREA.
5. SIDEWALK CLOSED SIGNS REQUIRED FOR ALL SIDEWALK CLOSURES.
6. THE CONTRACTOR IS CAUTIONED NEITHER TO OBSTRUCT NOR REMOVE ANY EXISTING PAVEMENT, NOR TO DISTURB THE EXISTING TRAFFIC PATTERNS MORE THAN IS NECESSARY FOR THE PROPER EXECUTION OF THE WORK.
7. ALL SIGNING AND LANE STRIPPING WILL NEED TO COMPLY WITH MUTCD. MAINTENANCE AND REPLACEMENT OF THE SIGNING AND STRIPPING WILL BE THE RESPONSIBILITY OF THE APPLICANT.

1. ALL PAVEMENT WORK, PUBLIC OR PRIVATE SHALL BE DONE IN ACCORDANCE WITH THE MOST RECENT EDITION OF THE WEST DES MOINES STANDARDS SPECIFICATIONS FOR SUBDIVISIONS.
2. SIDEWALKS, DRIVEWAYS, DRIVE LANES WITHIN PARKING AND PARKING SPACES SHALL BE CLASS C PORTLAND CEMENT CONCRETE (P.C.C.) COARSE AGGREGATE FOR P.C.C. CONSTRUCTION SHALL BE CLASS 3 DURABILITY.
3. PLACE 3/4 INCH EXPANSION JOINT BETWEEN ALL P.C.C. PAVEMENT/SIDEWALKS AND BUILDING. PLACE 1/2 INCH EXPANSION JOINT BETWEEN SIDEWALKS AND P.C.C. PAVEMENT.
4. PAVEMENT THICKNESS:
 SIDEWALKS 4" P.C.C.
 DRIVE LANES/PARKING 8" P.C.C.





VIA E-MAIL AND REGULAR MAIL

January 11, 2013

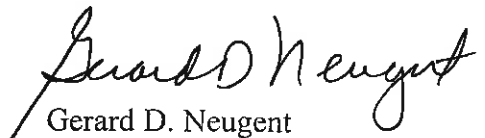
West Des Moines Board of Adjustment
City of West Des Moines
Development Services Department
4200 Mills Civic Parkway – Suite 2D
PO Box 65320
West Des Moines, IA 50265-0320

RE: 1600 Valley West Drive – Variance Request

Dear Members of the Board of Adjustment:

William C. Knapp, L.C. is the owner of the property at 1700 Valley West Drive immediately north of the subject property and a parking lot located on the south side of Westown Place. William C. Knapp, L.C. has no objection to the requested variance and supports the issuance of the same by the Board of Adjustment. If the Board or staff has any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,


Gerard D. Neugent
Manager, William C. Knapp, L.C.

cc: Kara Tragesser